

Daniel J. Hayes  
 Eric M. Phillips  
 Jake A. Schmidt  
 Kevin A. Wisniewski  
 Raven Winters  
 U.S. SECURITIES & EXCHANGE  
 COMMISSION  
 175 West Jackson Blvd., Suite 1450  
 Chicago, Illinois 60604  
 Telephone: (312) 353-3368  
 Facsimile: (312) 353-7398  
  
*Attorneys for Plaintiff United States  
 Securities and Exchange Commission*

**UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION**

IN RE: VOLKSWAGEN “CLEAN  
 DIESEL” MARKETING, SALES  
 PRACTICES, AND PRODUCTS LIABILITY  
 LITIGATION

MDL No. 2672 CRB (JSC)

**STIPULATION AND ~~PROPOSED~~  
 AMENDED SCHEDULING ORDER**

Judge: Hon. Charles R. Breyer

This Document Relates To:

*U.S. S.E.C. v. Volkswagen AG,*  
 No. 3:19-cv-1391-CRB

Plaintiff United States Securities and Exchange Commission (“Plaintiff”), Defendants Volkswagen AG and Volkswagen Group of American Finance, LLC (“VW”), and Defendant Martin Winterkorn (collectively, the “Parties”), through their undersigned counsel, hereby agree and stipulate as follows:

WHEREAS, the COVID-19 pandemic substantially limited the Parties’ ability to take and complete deposition discovery, particularly depositions of VW’s current and former employees residing in Germany;

WHEREAS, the Court previously entered the stipulated amended Scheduling Orders on May 12, 2022 and December 17, 2021 (ECF Nos. 80, 76);

WHEREAS, since the entry of the Court's most recent scheduling order, the Parties have served and responded to substantial written discovery, including interrogatories and document requests, and made substantial document productions, which continue but are not yet complete;

WHEREAS, the Parties also completed third-party depositions of the California Air Resource Board and a former VW employee, and they have scheduled several other depositions, including the depositions of two VW employees in Belgium during the week of August 15, 2022 and other third-party depositions later in August and in September;

WHEREAS, the Parties have experienced difficulty scheduling additional depositions, including of various VW employees, because of those witnesses' summer vacation and other schedules;

WHEREAS, the Parties continue to meet and confer in good faith attempts to resolve any discovery disputes, and continue to do so;

WHEREAS, despite the Parties' efforts, they will need additional time to complete discovery and, thus, jointly request an extension of the dates set forth in the Court's Scheduling Order;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by the Parties, that the Scheduling Order be amended as follows:

<b>ACTION</b>	<b>Due Dates</b>
Fact Discovery Cutoff:	December 16, 2022
Expert Reports Exchanged:	March 24, 2023
Rebuttal Expert Reports Exchanged:	May 26, 2023
Expert Discovery Cutoff:	June 23, 2023
Dispositive Motions & Opening Briefs:	August 25, 2023

1	Oppositions to Dispositive Motions:	October 27, 2023
2	Replies in Support of Dispositive	November 17, 2023
3	Motions:	
4	Pretrial Conference:	To be set by Court at later date
5	Trial:	To be set by Court at later date

6 This Stipulation may be executed in counterparts, and electronic or facsimile signatures shall  
7 be deemed equivalent to original signatures.

8 IT IS SO STIPULATED.

9  
10 Dated: August 12, 2022

Respectfully submitted,

11  
12 /s/Daniel J. Hayes

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Raven Winters

U.S. SECURITIES & EXCHANGE  
COMMISSION

175 West Jackson Blvd., Suite 1450

Chicago, Illinois 60604

Telephone: (312) 353-3368

Facsimile: (312) 353-7398

19 *Attorneys for Plaintiff*

*U.S. Securities and Exchange Commission*

21  
22 /s/ Suhana S. Han (with permission)

Robert J. Giuffra, Jr. (*admitted pro hac vice*)

Sharon L. Nelles (*admitted pro hac vice*)

Suhana S. Han (*admitted pro hac vice*)

Matthew A. Schwartz (*admitted pro hac vice*)

SULLIVAN & CROMWELL LLP

125 Broad Street

New York, New York 10004

Telephone: (212) 558-4000

Facsimile: (212) 558-3588

28 *Attorneys for Defendants Volkswagen AG,*

*Volkswagen Group of America Finance, LLC  
and VW Credit, Inc.*

/s/ Peter R. Jerdee (with permission)  
Gregory P. Joseph (*admitted pro hac vice*)  
Peter R. Jerdee (*admitted pro hac vice*)  
Christopher J. Stanley (*admitted pro hac vice*)  
JOSEPH HAGE AARONSON LLC  
485 Lexington Avenue, 30th Floor  
New York, NY 10017  
Telephone: (212) 407-1222  
Facsimile: (212) 407-1269

*Attorneys for Defendant Martin Winterkorn*

\* \* \*

PURSUANT TO STIPULATION, IT IS SO ORDERED

DATED: August 15, 2022



CHARLES R. BREYER  
United States District Judge